

OCT 14 2003

NOT FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

**CATHY A. CATTERSON
U.S. COURT OF APPEALS**

ESTHER PIPERNO,

Petitioner - Appellant,

v.

IMMIGRATION AND NATURALIZATION
SERVICE,

Respondent - Appellee.

No. 02-55866

D.C. No. CV-01-09098-GAF

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Gary A. Feess, District Judge, Presiding

Argued and Submitted October 7, 2003
Pasadena, California

Before: REINHARDT, FERNANDEZ, and RAWLINSON, Circuit Judges.

Petitioner Esther Piperno appeals the district court's order denying her 28 U.S.C. § 2241 petition for a writ of habeas corpus. In her petition, Piperno sought a stay of her deportation while the Board of Immigration Appeals (BIA)

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

considered her motion to reopen deportation proceedings. Since the BIA has now denied Piperno's motion, we dismiss her appeal as moot. *Jacobus v. State of Alaska*, 338 F.3d 1095, 1102-1103 (9th Cir. 2003) (dismissal would be justified on the ground of mootness where the "litigant no longer had any need of the judicial protection that it sought.") (citation omitted).

DISMISSED.